



General Assembly

January Session, 2019

## ***Amendment***

LCO No. 9953



Offered by:

SEN. FASANO, 34<sup>th</sup> Dist.

SEN. WITKOS, 8<sup>th</sup> Dist.

SEN. KELLY, 21<sup>st</sup> Dist.

To: Senate Bill No. 4

File No. 208

Cal. No. 126

### ***"AN ACT CONCERNING THE ACCESSIBILITY OF PRESCRIPTION DRUGS."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 38a-510 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective July*  
5 *1, 2019*):

6 (a) No insurance company, hospital service corporation, medical  
7 service corporation, health care center or other entity delivering,  
8 issuing for delivery, renewing, amending or continuing an individual  
9 health insurance policy or contract that provides coverage for  
10 prescription drugs may:

11 (1) Require any person covered under such policy or contract to  
12 obtain prescription drugs, except for prescription drugs indicated as

13 maintenance drugs in such policy or contract, from a mail order  
14 pharmacy as a condition of obtaining benefits for such drugs; or

15 (2) Require, if such insurance company, hospital service corporation,  
16 medical service corporation, health care center or other entity uses step  
17 therapy for such drugs, the use of step therapy for (A) any prescribed  
18 drug for longer than sixty days, or (B) a prescribed drug for cancer  
19 treatment for an insured who has been diagnosed with stage IV  
20 metastatic cancer provided such prescribed drug is in compliance with  
21 approved federal Food and Drug Administration indications.

22 (3) At the expiration of the time period specified in subparagraph  
23 (A) of subdivision (2) of this subsection or for a prescribed drug  
24 described in subparagraph (B) of subdivision (2) of this subsection, an  
25 insured's treating health care provider may deem such step therapy  
26 drug regimen clinically ineffective for the insured, at which time the  
27 insurance company, hospital service corporation, medical service  
28 corporation, health care center or other entity shall authorize  
29 dispensation of and coverage for the drug prescribed by the insured's  
30 treating health care provider, provided such drug is a covered drug  
31 under such policy or contract. If such provider does not deem such  
32 step therapy drug regimen clinically ineffective or has not requested  
33 an override pursuant to subdivision (1) of subsection (b) of this section,  
34 such drug regimen may be continued. For purposes of this section,  
35 "step therapy" means a protocol or program that establishes the  
36 specific sequence in which prescription drugs for a specified medical  
37 condition are to be prescribed."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2019	38a-510(a)